



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 104th CONGRESS, SECOND SESSION

Vol. 142

WASHINGTON, WEDNESDAY, FEBRUARY 7, 1996

No. 17

House of Representatives

The House was not in session today. Its next meeting will be held on Friday, February 9, 1996, at 11 a.m.

Senate

WEDNESDAY, FEBRUARY 7, 1996

The Senate met at 7:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Trust in the Lord with all your heart, and lean not on your own understanding; in all your ways acknowledge Him, and He will direct your paths.—Proverbs 3: 5–6.

Gracious God, we put our trust in You. We resist the human tendency to lean on our own understanding; we acknowledge our need for Your wisdom in our search for solutions we all can support. As an intentional act of will, we commit to You everything we think, say, and do today. Direct our paths as we give precedence to patriotism over party and loyalty to You over anything else. We need You, Father. Strengthen each one and strengthen our oneness. In the name of our Lord, Amen.

AGRICULTURAL MARKET TRANSITION ACT OF 1996

The PRESIDENT pro tempore. The clerk will report the unfinished business.

The assistant legislative clerk read as follows:

A bill (S. 1541) to extend, reform, and improve agricultural commodity, trade, conservation, and other programs, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Craig (for Leahy/Lugar) amendment No. 3184, in the nature of a substitute.

Wellstone (for Kohl) amendment No. 3442 (to amendment No. 3184) to eliminate the provision granting consent to the Northeast Interstate Dairy Compact.

AMENDMENT NO. 3442 TO AMENDMENT NO. 3184

The PRESIDENT pro tempore. Who yields time on the amendment?

Mr. KOHL. Mr. President, I would like to call up our amendment.

The PRESIDENT pro tempore. That is the pending question.

Mr. KOHL. I yield myself 4 minutes.

Mr. President, today, I and others rise in opposition to the Northeast Interstate Dairy Compact. While we have only a short time to discuss this matter, I think that it is important to fully understand its ramifications—for farmers of other regions, for consumers in the Northeast, and for the principle of free trade within our country.

As I have said before, it is difficult for me to stand here and oppose my friends from the Northeast in their efforts to help the dairy farmers of their region. But I feel that this is a very important issue, and that it is the wrong thing to do.

The Northeast Interstate Dairy Compact is a regional compact unlike any we have seen before. It is an effort by six Northeastern States to wall themselves off from the rest of the Nation economically. The compact would bring about artificially increased milk prices in the Northeast, for the benefit of the farmers in those States, at the expense of that region's consumers, without regard to market forces. And it would do so by imposing a prohibitive compensatory payment scheme to prevent more reasonably priced milk from coming in from other regions. It is at its heart anticompetitive.

I will be the first to say that dairy issues are regionally divisive, and the first to agree that we should get beyond our divisions and find common ground. And I believe that compromise and consensus are possible, even in dairy policy.

But the Northeast Dairy Compact ignores all efforts at compromise, and instead is an effort by one region to remove itself from the national system and establish a regional dairy policy. It takes an already outmoded milk pricing system, and twists it even further.

While the context for this compact is dairy, I believe its ramifications are far more broad.

Make no mistake about it. This compact is unprecedented in the history of the Nation. It is true that the Constitution allows States to enter into a compact with other States, as long as those compacts are approved by Congress. This authority has been used many times, without controversy, by States that seek to address multistate environmental or transportation concerns. But I know of no instance where it has been used to allow States to engage in price-fixing activities, or as a way to circumvent the commerce clause of the Constitution. Congressional approval of this compact is an invitation for all sorts of economic balkanization.

The Framers of the Constitution had the foresight to see the dangers of allowing States and regions to erect economic barriers against other States in the Union.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper containing 100% post consumer waste

S 1001